

SENATE BILL 791

By Cohen

AN ACT to amend Tennessee Code Annotated, Title 2, Chapter 10, relative to the creation of an electronic filing system by the registry of election finance.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 2, Chapter 10, Part 2, is amended by adding the following language as a new, appropriately designated section:

Section 2-10-211.

(a) The registry of election finance, notwithstanding any other provision of the law to the contrary, shall do all of the following:

(1) Develop an electronic filing process for use by all candidates for state public office and political campaign committees of such candidates, permitting such persons and entities to file statements and reports with the registry of election finance. As part of that process, the registry of election finance shall define a nonproprietary standardized record format or formats using industry standards for the transmission of the data required of those persons and entities, and which conforms with the disclosure requirements of this section. The registry of election finance shall hold public hearings prior to development of the record format as a means to ensure that affected entities have an opportunity to provide

input into the development process. The format or formats shall be made public no later than January 1, 2002, to ensure sufficient time to comply with the requirements of this section.

(2) Accept test files from software vendors and others wishing to file reports electronically, for the purpose of determining whether the file format is in compliance with the standardized record format developed pursuant to subdivision (1) and is compatible with the registry of election finance's system for receiving data.

(3) Develop a system that provides for the electronic transfer of the data specified in this section utilizing telecommunications technology, which assures the integrity of the data transmitted, and creates safeguards against efforts to tamper with or subvert the data.

(4) Beginning with the August 2002 election cycle, provide full access to the public of campaign financial reports over the internet, subject to the provisions of §2-10-111, providing assistance to those seeking public access to such information. For the purposes of this subdivision only, such reports containing campaign contributions shall not contain the addresses of campaign contributors.

(5) Maintain all filed data online for eight (8) years after the date it is filed, and then archive the information in a secure format.

(6) Report to the general assembly on the implementation and development of the electronic billing and disclosure requirements of this section. The report shall include an examination of system security, private security issues, software availability, compliance costs to filers, and other issues relating to this section, recommending appropriate changes if necessary.

(b) The registry of election finance, once all state-mandated development, procurement, and oversight requirements have been met, shall make public their availability to accept reports electronically, upon which filers may then commence voluntarily filing the formatted information.

(c) The registry of election finance shall implement an electronic disclosure filing program in connection with the 2002 state primary election, and all subsequent state primary elections, and the political campaign committee activities specified herein. Candidates for state public offices and the political campaign committees of such candidates, may commence electronic filing with the first pre-election statement for any state election cycle beginning in the year 2002, and may continue to file electronically all reports and statements for all subsequent state elections. The provision of this subsection shall apply to any candidate for state public office and the political campaign committees of such candidates who are required to file statements, reports or other documents in connection with a state election office.

SECTION 2. Tennessee Code Annotated, Title 2, Chapter 10, Part 1, is amended by adding the following language as a new, appropriately designated section:

Section 2-10-121. No later than January 31st each year that a multicandidate political campaign committee is registered with the registry of election finance, such committee shall pay an annual registration fee of seventy-five dollars (\$75.00). For any multicandidate political campaign committee registering a new committee during the year, the committee shall pay the registration fee at the time that it certifies its political treasurer. All fees collected by the registry under the provisions of this section shall be retained by the registry and used for expenses related to maintaining an electronic filing system.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

